

MAR 2 2005
Place On Calendar

HOUSE FILE 512
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HF 195)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to city waterworks franchises.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 512

1 Section 1. Section 364.2, subsection 4, paragraph b, Code
2 2005, is amended to read as follows:
3 b. Such an ordinance shall not become effective unless
4 approved at an election. The proposal may be submitted by the
5 council on its own motion to the voters at any city election.
6 Upon receipt of a valid petition as defined in section 362.4
7 requesting that a proposal be submitted to the voters, the
8 council shall submit the proposal at the next regular city
9 election or at a special election called for that purpose
10 before the next regular city election. However, the city
11 council may dispense with such election as to the grant,
12 amendment, extension, or renewal of an electric light and
13 power, heating, waterworks, or gasworks franchise unless there
14 is a valid petition requesting submission of the proposal to
15 the voters, or the party seeking such franchise, grant,
16 amendment, extension, or renewal requests an election. If a
17 majority of those voting approves the proposal, the city may
18 proceed as proposed. The complete text of the ordinance shall
19 be included on the ballot if paper ballots are used. If an
20 electronic voting system or voting machine is used, the
21 proposal shall be stated on the ballot and the full text of
22 the ordinance posted for the voters pursuant to section 52.25.
23 All absentee voters shall receive the full text of the
24 ordinance.

25 EXPLANATION

26 This bill authorizes a city council to grant, amend,
27 extend, or renew a waterworks franchise without an election.

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